

NOT TO BE INCLUDED IN  
PUBLISHED VOLUMES

LS  
Jersey City, NJ

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

20 RIVER COURT WEST  
URBAN RENEWAL COMPANY  
Employer

and

UNITED EMPLOYEES OF SERVICE WORKERS  
UNION (U.E.S.W.U.)  
Petitioner

Case 22-RC-13018

and

LOCAL 947, INTERNATIONAL UNION OF  
JOURNEYMEN AND ALLIED TRADES, A  
SUCCESSOR TO LOCAL 971,  
INTERNATIONAL SHIELD OF LABOR  
ALLIANCES  
Intervenor

DECISION AND ORDER REMANDING

The National Labor Relations Board<sup>1</sup> has considered objections to an  
election held July 22, 2009, and the Acting Regional Director's report

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<sup>1</sup> Effective midnight December 28, 2007, Members Liebman, Schaumber, Kirsanow, and Walsh delegated to Members Liebman, Schaumber, and Kirsanow, as a three-member group, all of the Board's powers in anticipation of the expiration of the terms of Members Kirsanow and Walsh on December 31, 2007. Pursuant to this delegation, Chairman Liebman and Member Schaumber constitute a quorum of the three-member group. As a quorum, they have the authority to issue decisions and orders in unfair labor practice and representation cases. See Sec. 3(b) of the Act. See *Snell Island SNF LLC v. NLRB*, 568 F.3d 410 (2d Cir. 2009), petition for cert. filed 78 U.S.L.W. 3130 (U.S. September 11, 2009) (No. 09-328); *New Process Steel v. NLRB*, 564 F.3d 840 (7th Cir. 2009), petition for cert. filed 77 U.S.L.W. 3670 (U.S. May 22, 2009) (No. 08-1457); *Northeastern Land Services v. NLRB*, 560 F.3d 36 (1st Cir. 2009), petition

recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 7 votes for the Petitioner, 5 votes for the Intervenor, and 1 challenged ballot, an insufficient number to affect the results.

The Board has reviewed the record in light of the exceptions and the Intervenor's brief and adopts the Acting Regional Director's findings and recommendation to overrule Intervenor's Objection 1. However, the Board finds that Intervenor's Objections 2 and 3 raise substantial and material issues which can best be resolved by a hearing.

#### ORDER

IT IS ORDERED that this proceeding is remanded to the Acting Regional Director for further appropriate action.

Dated, Washington, D.C., October 22, 2009.

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Wilma B. Liebman, Chairman

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Peter C. Schaumber, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

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for cert. filed 78 U.S.L.W. 3098 (U.S. August 18, 2009) (No. 09-213). But see *Laurel Baye Healthcare of Lake Lanier, Inc. v. NLRB*, 564 F.3d 469 (D.C. Cir. 2009), petition for cert. filed sub nom. *NLRB v. Laurel Baye Healthcare of Lake Lanier, Inc.*, \_\_ U.S.L.W. \_\_ (U.S. September 29, 2009)(No. 09-377).